

[illegible]

This matter is before the Court on the parties' Joint Motion for Dismissal with Prejudice (Doc. 18). It is therefore ordered, adjudged and decreed that Count I (Race Discrimination), Count III (Violation of the Family Medical Leave Act), and Count IV (Age Discrimination) of Plaintiff Eddie Byrd's Complaint are dismissed with prejudice, with each party to bear his or its own costs, expenses and attorneys' fees. The Court also dismisses with prejudice Plaintiff's claims for retaliation in violation of the Family Medical Leave Act found in Count II of the Complaint, with each party to bear his or its own costs, expenses and attorney's fees. The only remaining cause of action in this matter shall be Plaintiff's claim for unlawful retaliation on the basis of race and age in violation of 42 U.S.C. § 2000e, *et seq.*, and the Age Discrimination in Employment Act found in Count II of the Complaint.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT